

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Jordan Blake

Docket No. 5:10-MJ-1661-1

Petition for Action on Probation

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jordan Blake, who, upon an earlier plea of guilty to 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, Driving While Impaired (Level 1), and 21 U.S.C. § 844, Simple Possession of Marijuana, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on January 11, 2012, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
3. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.
5. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 30 days as arranged by the probation office. This term shall be served during the first six months of probation.
6. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On July 28, 2012, the defendant was charged in Hoke County, NC, with the offenses of Speeding and Driving While License Revoked (12CR730). The defendant reports he was returning from a job interview when he was stopped for speeding. The defendant has been verbally reprimanded for this behavior and instructed not to drive unless properly licensed. It should be noted that the defendant has completed his required substance abuse assessment, the recommended counseling, and the previously imposed 30 days in custody. As a sanction for this conduct, we are recommending that the defendant serve three days in jail.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: August 7, 2012

ORDER OF COURT

Considered and ordered this 7th day of August, 2012, and ordered filed and made a part of the records in the above case.



James E. Gates
United States Magistrate Judge